

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ROBERT RAYMOND DOWELL,
#2414619,

Plaintiff,

V.

DOJ MRU FOIA, et al.,

Defendants.

Case No. 6:24-cv-199-JDK-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Robert Raymond Dowell, a Texas Department of Criminal Justice inmate proceeding pro se, brings this civil rights lawsuit under 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636.

On September 5, 2024, Judge Love issued a Report and Recommendation recommending that the Court dismiss this case with prejudice for failure to state a claim upon which relief can be granted pursuant to 28 U.S.C. §§ 1915A(b) and 1915(e)(2). Docket No. 13. The Plaintiff has submitted five letters, which the Court construes collectively to be his written objections to the Report. Docket Nos. 14, 16, 17, 18, 19.


Where a party timely objects to the Report and Recommendation, the Court reviews the objected-to findings and conclusions of the Magistrate Judge de novo. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire

record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

The Magistrate Judge recommended dismissal of Plaintiff’s claims primarily on the basis that his submissions fail to establish that any federal agency has improperly withheld agency records. Plaintiff’s objections do not identify any error in that conclusion. Rather, the attachments to Plaintiff’s letters establish that multiple federal offices have responded to his FOIA requests by informing him that they possess no responsive documents, that he did not reasonably describe the subject of his request, or that his request could not be processed due to its form. Docket No. 14-1; Docket No. 17-1; Docket No. 18-1. Some of these responses include the language of Plaintiff’s FOIA requests and establish that his requests—like his allegations to this Court—were outlandish and incoherent, making any substantive production of records impossible. *See* Docket No. 14-1 at 2–3 (quoting Plaintiff’s request for, *inter alia*, “all records & documents on high power microwave weapon ultra sonic Laser & RF Radiation & elf signals that ARE used to target a persons location & Bath that person in emf Elf microwave weapon & used to weaken the person immune system to kill or Alter DNA,” and for “Information Report I made the tip to the White House to trump staff in 2016 that gang stocking & mind control tactics were used to target president trump”).

Having conducted a de novo review of the record in this case and the Magistrate Judge's Report, the Court has determined that the Report of the Magistrate Judge is correct, and Plaintiff's objections are without merit. Accordingly, the Court hereby **ADOPTS** the Report of the Magistrate Judge (Docket No. 13) as the opinion of the District Court. Plaintiff's objections are **OVERRULED**, and his claims are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1) and 1915(e)(2).

So **ORDERED** and **SIGNED** this 18th day of **November, 2024**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE